

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 15, 3 and 16-20 stand rejected under 35 USC §102 (b) as being anticipated by Eichberger et al. (US 5,815,934). It is the Examiner's position that the recitation in claim 15, "for directing the airflow from said airflow generator into said exhaust passage...that results in said airflow flowing in a substantially upward direction to entrain and remove debris..." does not impart any structural limitation and is therefore not given patentable weight. Applicant has amended claim 15 to expressly recite that the "exhaust passage is configured so that the airflow directed into the exhaust passage flows in a substantially upward direction to entrain and remove debris ejected from the recess." To the contrary, the airflow from the conduit 30 in Eichberger et al. that is directed through port 29 into the exhaust passage 25 flows horizontally to one of the first or second exhaust apertures. This is due to the fact that the exhaust passage 25 is configured to direct airflow horizontally, not in a substantially upward direction as in the present invention. Consequently, the airflow from the conduit 30 in Eichberger et al. collides at an obtuse angle with the cutting debris that is ejected in an upward direction through expulsion aperture 28 into the exhaust passage 25. As a result, the Eichberger et al. device does not expel debris as efficiently as the present invention.

Accordingly, claim 15, as well as those claims dependent thereon, are clearly not anticipated by, nor rendered obvious in view of, the Eichberger et al. reference.

Claims 15, 3, 5-10, 12 and 13 additionally stand rejected under 35 USC §103(a) as being unpatentable over Maier (DE 3542263) in view of Eichberger et al. As noted in the Remarks to the Preliminary Amendment dated October 9, 2007, the Maier et al is believed to be less relevant than Eichberger et al. because Maier et al. does not disclose an airflow generator for generating an airflow that is directed into the exhaust passage to facilitate the discharge of cutting debris through the exhaust apertures. The suggestion by the Examiner that item 30 in Maier et al. corresponds to the conduit recited in the present claim is misplaced. Item 30 in Maier et al. is described as a "deflection surface" of the pivotally mounted flap 21. Consequently, deflection surface 30 in Maier et al. corresponds to the curved surface 30 of deflector 26 in the present invention which directs the debris from the exhaust passage out through the exhaust aperture. The airflow conduit as defined in the present invention and recited in claim 15 comprises the airflow passageway between the airflow generator and the exhaust passage. There is no such passageway in Maier et al.

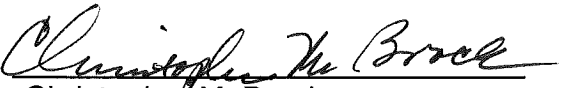
Thus, it is unclear how the disclosure in Maier et al. adds to the disclosure in Eichberger et al. with respect to the rejection of independent claim 15. Moreover, because Maier et al. is completely devoid of any airflow generator and conduit, it cannot possibly teach or suggest the distinctions between Eichberger et al. and the present invention discussed above.

Therefore, it is respectfully submitted that pending claims 3-10 and 12-23 patentably distinguish the present invention over the cited art. The present application

is therefore believed to be in condition for allowance. Favorable reconsideration is respectfully solicited.

Respectfully submitted,

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